

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: MONTY B MONTGOMERY

3581 S 1425 E
WENDELL ID 83355
(208)536-2784

AND/OR

JENNIE L MONTGOMERY
3581 S 1425 E
WENDELL ID 83355
(208)536-2784

RECEIVED
DEC 03 2012
DEPT. OF WATER RESOURCES
SOUTHERN REGION

2. Source: WASTE WATER Tributary to: SNAKE RIVER

3. Location of Point of Diversion:

#1 WASTE WATER SW1/4SW1/4 Sec. 34, Twp 08S, Rge 14E, B.M.
GOODING County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.32 CFS	

5. Total quantity to be appropriated is: 1.32 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

- Type and size of devices used to divert water from the source:
- Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;
- Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- Is ground water with a temperature of greater than 85F being sought?
- If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

- 8.

STATE OF IDAHO
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PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 14E 33																27.0	27.0
08S 14E 34											39.0						39.0

Total Acres: 66

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

Applicant proposes to divert waste water when available into a pond. When waste water is available, applicant proposes mitigation by not pumping from the well for water right 36-2491. Proposed place of use is the same acres irrigated under ground water right 36-2491. No new acres will be irrigated.

11. Map of proposed point of diversion and place of use attached? [Y]

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

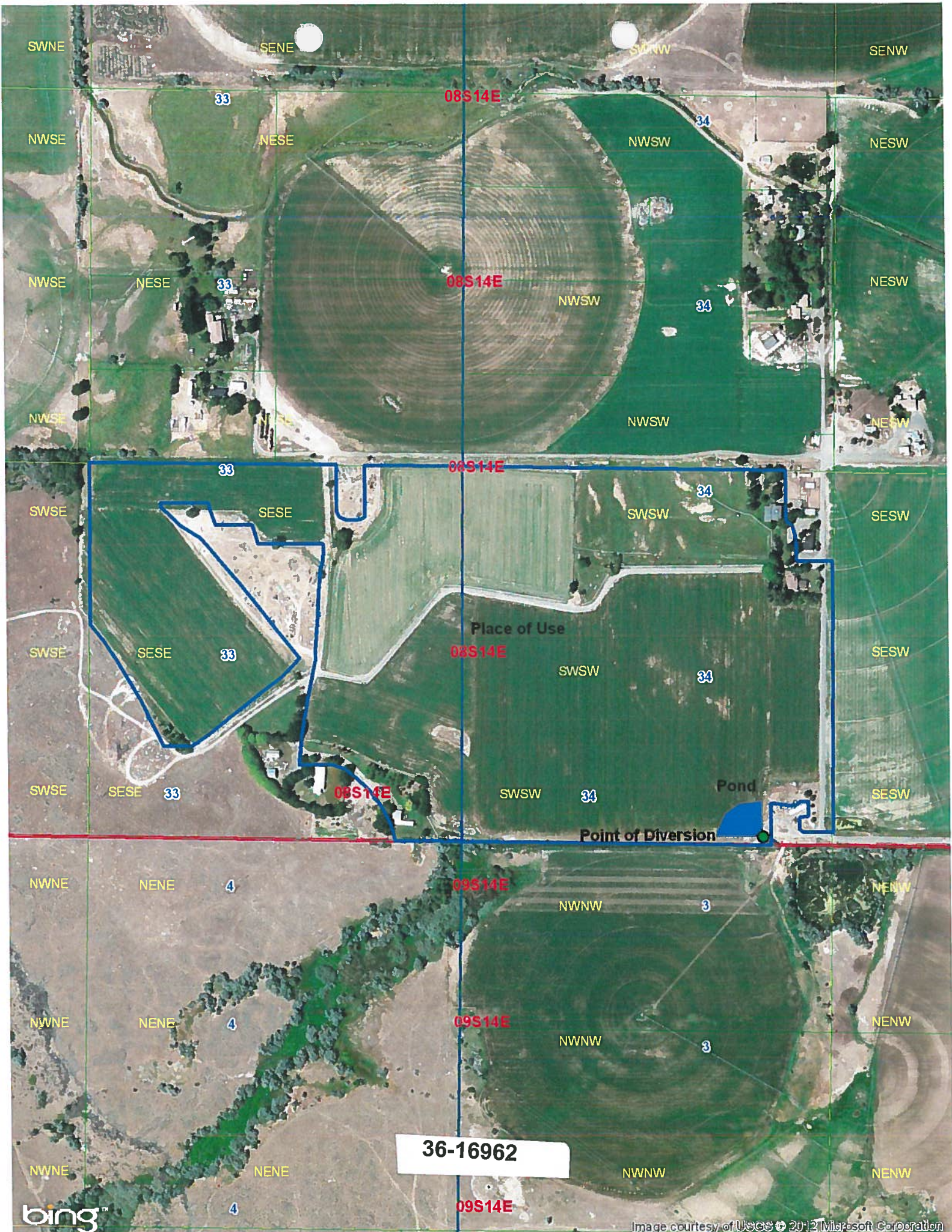
Monty B. Montgomery
Applicant

Received by A. SKINNER Date 12/3/12 Time 1:17 Preliminary check by B. Walter
Publication prepared by DM Date 1/10/2013 Published in Times News
Publication approved _____ Date January 17 & 24, 2013

Receipt No. 5032930

Date: 12/3/12

Received by: A. SKINNER



36-16962



NORTH SIDE CANAL COMPANY, LTD.

921 NORTH LINCOLN * JEROME IDAHO 83338 * (208)324-2319 * FAX (208)324-8906

November 27, 2012

Monty B. Montgomery
3581 South 1925 East
Wendell, Idaho 83355

RE: Waster Water Filing

Dear Mr. Montgomery:

North Side Canal Company, Ltd. has no objection on you filing for a wastewater right at the tailend of "S-39" Lateral. The location of the diversion is one quarter mile below the Canal Company's last delivery and below Tim Moore's irrigation pond. The wastewater is returning from Moore's pond to the Snake River. Mr. Moore's has given Mr. Montgomery permission to build a pond below his. The North Side Canal Company is not guaranteeing any water; Mr. Montgomery only gets what is being wasted by Mr. Moore's pond. Please notify the Canal Company when you have approved wastewater filing.

Sincerely,

Ted Diehl
Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 11, 2013

MONTY B MONTGOMERY
JENNIE L MONTGOMERY
3581 S 1425 E
WENDELL, ID 83355

Re: Application For Permit No. 36-16962

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 1/17/2013 and 1/24/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**February 4, 2013**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline". The signature is written in dark ink and is positioned above the printed name and title.

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 10, 2013 1:25 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on January 17th & 24th, 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Department of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, Idaho 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

January 10, 2013

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 78301
Water Right No(s): 45-14376, 45-2625, 45-7021

RE: Application For Permit No.(s): 36-16962 & 45-14428

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 4, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-16962

MONTY B MONTGOMERY

JENNIE L MONTGOMERY

3581 S 1425 E

WENDELL, ID 83355

Point of Diversion SWSW S34 T08S R14E GOODING County Source WASTE WATER Tributary SNAKE RIVER

Use: IRRIGATION 03/15 to 11/15 1.32 CFS

Total Diversion: 1.32 CFS

Date Filed: 12/3/2012

Place Of Use: IRRIGATION

T08S R14E S33 SESE

T08S R14E S34 SWSW

Total Acres: 66

Application for permit proposes to divert up to 1.32 cfs of waste water for the irrigation of 66 acres, located approximately 6.3 miles south and 5.4 miles west of the city of Wendell. The applicant proposes to mitigate the surface water use by non use of ground water when surface water is available. No new acres are proposed.

45-14428

CORY KING

VICKY KING

317 W 659 S

HEYBURN, ID 83336

Point of Diversion L8(NESE) S26 T10S R23E MINIDOKA County Source GROUND WATER Tributary

Use: COOLING 01/01 to 12/31 0.08 CFS

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: HEATING 01/01 to 12/31 0.08 CFS

Total Diversion: 0.12 CFS

Date Filed: 1/4/2013

Place Of Use: HEATING, COOLING & DOMESTIC

T10S R23E S26 L8(NESE)

Application for Permit 45-14428, filed in the name of Corey and Vicky King, seeks to appropriate 0.12 cfs of ground water for heating, cooling, and domestic use. After using water for heating and cooling, waste water will be discharged to the Snake River. The proposed place of use and point of diversion are located approximately 2 miles east and 2.5 miles south of the City of Heyburn.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78301**

SIX S RANCH LLC, 1354 E SIX S RANCH RD, DECLO, ID 83323 has filed Application No. 78301 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14376, 45-2625, 45-7021. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding a new point of diversion consisting of a new well to be drilled for three groundwater rights that currently allow for the diversion of up to 7.33 cfs for irrigation of up to 770.8 acres within a 2,620.6 acre permissible place of use on property located approximately 4.0 - 6.25 miles east and 1.5 miles north - 2.0 miles south of Declo. The new well will be located approximately 5.75 miles east and 1.4 miles south of Declo. The application proposes allowing for the pumping of water from the new well and injecting it into Marsh Creek and then rediverting water from up to four existing diversions located downstream on Marsh Creek for irrigation of the property.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before February 4, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on January 17th & 24th, 2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 10, 2013

CINDY YENTER
WATER DISTRICT #130
1341 FILLMORE ST, STE 200
TWIN FALLS, ID 83301

Hand Delivered

RE: Application for Permit No. 36-16962

Dear Ms. Yenter:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: January 7, 2013
To: Application for Permit 36-16962 (Monty and Jennie Montgomery) File
From: Benny Walker
Re: Memo

Application for Permit, 36-16962 in the name of Monty and/or Jennie Montgomery, seeks to appropriate 1.32 cfs of Waste Water tributary to the Snake River for Irrigation use. The permit would authorize a waste water supply for irrigation of up to 66 acres on the applicant's property. The applicant proposes to mitigate the surface water use by non use of ground water right 36-2491 when surface water is available. No new acres are proposed. The place of use and point of diversion is located approximately 6.3 miles south and 5.4 miles west of the center of the city of Wendell. The point of diversion is at the tail end of "S-39" Lateral. The applicant has submitted approval from the North Side Canal Company to divert waste water.